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September 18, 2006

BY ELECTRONIC FILING

The Honorable Gregory M. Sleet
United States District Court
844 King Street
Lock Box 27
Wilmington, DE 19801

**RE: Constantini v. Optimum Choice, Inc.
C.A. No. 05-680GMS**

Dear Judge Sleet:

Consistent with instructions we received from Magistrate Judge Thyng, I write on behalf of both parties to confirm that we have reached an agreement to settle this case. Settlement papers are being prepared, and a stipulation of dismissal should be filed in due course.

I am available to address any questions regarding these developments.

Respectfully,

/s/ John S. Spadaro

John S. Spadaro

JSS/slr

cc: The Hon. Mary Pat Thyng (by mail)
William E. Mahoney, Jr., Esq. (by electronic filing)

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN M. CONSTANTINI,)	
on his own behalf and as administrator)	
of the estate of CHERYL A. CONSTANTINI,)	
)	C.A. No. 05-680GMS
Plaintiff,)	
)	
v.)	
)	
OPTIMUM CHOICE, INC.)	
)	
Defendant.)	

NOTICE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

William E. Mahoney, Jr., Esq.
Maryanne T. Donaghy, Esq.
Stradley Ronon Stevens & Young, LLP
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Respectfully submitted,

MURPHY SPADARO & LANDON

/s/ John S. Spadaro
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September 18, 2006

Attorneys for plaintiff John M. Constantini,
on his own behalf and as administrator of the estate
of Cheryl A. Constantini